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PACIFIC BELL TELEPHONE COMPANY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE
COMPANY,

Defendant.

CASE NO. 2:21-cv-00073-JDP

**[PROPOSED] ORDER GRANTING MOTION
TO COMPEL COMPLIANCE BY NON-
PARTY BELOW THE BLUE WITH THE
COURT'S ORDERS**

Judge: Hon. Jeremy D. Peterson
Date: January 25, 2024
Time: 10:00 a.m.
Courtroom: 9

Action Filed: January 14, 2021
Trial Date: None

1 Before the Court is Pacific Bell Telephone Company (Pacific Bell)'s Motion to Compel
2 Compliance by Non-Party Below the Blue (BtB) with the Court's Orders. Pacific Bell seeks to compel
3 BtB to submit to ESI collection and production by an independent third party to identify and produce
4 responsive materials that BtB was required to produce under this Court's November 9, 2023 and December
5 7, 2023 Orders.

6 Having fully considered the matter and the record at hand, for the reasons stated in Pacific Bell's
7 Motion, the Court hereby GRANTS Pacific Bell's Motion to Compel. BtB and its principals, Seth Jones
8 and Monique Fortner, must provide all computers, mobile or other devices, and access to electronic cloud-
9 based accounts used by Seth Jones or Monique Fortner for, in connection with, or related to any work for
10 Below the Blue or Marine Taxonomic Services at any time between January 1, 2020 to the present, or
11 belonging to Seth Jones and Monique Fortner at any time between January 1, 2020 and the present, to an
12 independent third-party forensic expert for examination. Further, to facilitate this examination, the Court
13 hereby adopts and enters the document-review protocol attached as Exhibit 1 to the Kelley Declaration,
14 which was filed in support of Pacific Bell's Motion to Compel.

15 **IT IS SO ORDERED.**

16 DATED: _____, 2024

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Jeremy D. Peterson
United States Magistrate Judge
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